

U.S. DISTRICT COURT  
N.D. OF N.Y.  
FILED

AUG 20 2010

Richard-Enrique; Ulloa, Sui Juris,unrepresented  
RR1 peek farms  
c/o postal department 771  
Stone Ridge, New York republic  
non-domestic without US [12484]

LAWRENCE K. BAERMAN, CLERK  
ALBANY

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD ENRIQUE ULLOA,

Defendant.

CASE # 1:10-CR-0321 (TJM)

Affidavit of Truth

NOTICE of Corporate Denial  
Creditor & Law

**Affidavit of Truth NOTICE of Corporate Denial and NON-Corporate status**

state of New York }

} §

county of Ulster }

I Richard-Enrique; Ulloa, am a sovereign, sui juris, free white man, a follower of Yahshua the Messiah in the laws of The Almighty Supreme Creator, Yahvah first and foremost and the laws of man when they are not in conflict (Leviticus 18:3,4). Pursuant to Matthew 5:33-37 and James 5:12, let my yea be yea, and my nay be nay, as supported by your Federal Public Law 97-280, 96 Stat. 1211. Appear by special visitation and not



1 appearing generally, as a Secured Party Creditor, and Sui Juris, before this court. I have  
 2 personal knowledge of the matters stated herein, am over the age of majority, and hereby  
 3 asseverate understanding the liabilities presented in your Briscoe v LaHue, 460 US 325.

4 *“Allegations such as those asserted by petitioner, (a pro se litigant), however*  
 5 *inartfully pleaded, are sufficient to call for the opportunity to offer supporting evidence.*  
 6 *Accordingly, although we intimate no view on the merits of petitioner’s allegations, we*  
 7 *conclude that he is entitled to an opportunity to offer proof.”* **Haines v. Kerner, 404**  
 8 **U.S. 519, 522**

9  
 10  
 11  
 12 Richard-Enrique; Ulloa, a Secured Party creditor, and reserving his rights “without  
 13 prejudice” under the New York state Uniform Commercial Code 1-308, and Articles 1 to  
 14 13, Reserving ALL Natural God-Given Unalienable Birthrights, Waiving None, Ever  
 hereby affirms;

15 I submit this Affidavit of Truth for and into the record that all statements and or  
 16 documents and or Exhibits are submitted in support, are true and that I have firsthand  
 17 knowledge of all the facts in all these documents.

18 **Let it be known to all, on and for the record, and via this affidavit of**  
 19 **truth, and Notice of Non Corporate Status and that I do not represent**  
 20 **myself, I am myself, and reserve all my rights including but not limited**  
 21 **to my right to assistance of counsel.**

22 In this affidavit I will be documenting my status as Non-Corporate entity, which is  
 23 critical in my defense along with my Act of State which was filed previously and with the  
 24 Secretary of State of New York, so it can no longer be assumed that I am a corporate  
 25 entity and that I am a living soul.

## 26 27 NOTICE OF CORPORATE DENIAL AND 28

## NON-CORPORATE STATUS

With the knowledge of the fact that “Assumption” and “Presumption” may prevail unless rebutted, or explicitly denied, this Affiant plainly states that Affiant is in no way to be considered, termed as, or thought as, a person, legal entity, legal fiction, fictional character, or corporation of any form; with the knowledge that all such entities are not living, breathing, sentient men. Therefore, Affiant hereby makes express and explicit claim and affirmation to the living, whose Creator is Affiant’s Heavenly Father; and, express and explicit claim that Affiant is not a “person” or any other form of corporation.

The word “person” is according to several references and 22 USC Sec. 1621: Definitions -STATUTE- For the purposes of this subchapter - (a) The term 'person' shall include an individual, partnership, corporation, or the Government of the United States.

I am not a Corporation; I deny ever being a Corporation.

I am a living soul; I am not a “person” or corporation.

I rebut the presumption by anyone that I am a Corporation.

I have never acquiesced, by agreement or otherwise that I am a Corporation, I deny being a corporation.

I am not a corporation and cannot appear and plea, I deny ever entering a plea, I deny being a corporation.

I have no proof that corporation should be treated the same as living, breathing human beings, I deny being a person or corporation.

I do not have a contract with this court; I deny that a contract exists.

I am as a living man, excluded from the term person and corporation; I deny being a corporation or a person.

1 I as a Sovereign man cannot be construed as a person or corporation; I deny being a  
2 corporation or a person.

3 The term person "in common usage" does not include the sovereign; I deny being a  
4 "person".

5  
6 I am NOT a "United States Person", "United States Resident", "U.S. Citizen", "U.S.  
7 Individual", "U.S. Corporation" or "citizen subjected to its jurisdiction"; as such are  
8 "words of art"; or corporation created under the laws of the United States or any state of  
9 the Union States, the District of Columbia, or any territory, commonwealth or possession  
10 of the United States or a foreign state or country, public or private.

11  
12 I am NOT a "resident of", "inhabitant of", a "franchisee of", "subject of", "ward of",  
13 property of", "chattel of", or "subject to the jurisdiction of" the State of the Forum of any  
14 United States, corporate State, corporate County, or corporate City, or Municipal body  
15 politic created under the primary authority of Art. I, Sec. 8, Cl.17 and Art. IV, Sec. 3 Cl.  
16 2 of the Constitution for the united States of America and not subjected to any legislation  
17 created by or under the jurisdiction of any employees, officers, or agents deriving their  
18 authority thereof. Further, Affiant is NOT a subject of the Administrative and Legislative  
19 Article I Courts or bound by precedents of such courts created by the "United States", as  
20 "Legislation enacted by Congress applicable to the inferior courts in the exercise of the  
21 power under Article III of the Constitution cannot be affected by legislation enacted by  
22 Congress under Art. I, Sec. 8, Cl.17, of the Constitution, "D.C. Code, Title 11 at p. 13 "an  
23 officer, agent, shareholder, franchise or fiduciary agent, surety, resident inhabitant or  
24 domiciled in any corporation."

25  
26 I declare, revoke and cancel all of my signatures on any and all forms which may be  
27 construed to give the Federal Government or any other agency or department of the  
28

1 United States Government, created under the authority of Article I, Sec. 8, Cl. 17 and  
2 Article IV, Sec. 3, Cl. 2 of the Constitution for the United States, authority or jurisdiction  
3 over Affiant. Affiant also, revokes, rescinds and make void ab initio, all powers of  
4 attorney, in fact, in presumption, or otherwise, signed either by Affiant or anyone else,  
5 with or without Affiant's consent, as such power of attorney pertains to Affiant, by, but  
6 not limited to, any and all government/quasi/colorable, public, Government entities or  
7 corporations, on the grounds of constructive fraud, and non-disclosure of pertinent facts.  
8 I am NOT a vessel documented under Chapter 121 of Title 46, United States Code or a  
9 vessel numbered as provided in Chapter 123 of said Title.

10 I hereby, cancels any presumed election made by the United States Government or any  
11 agency or department, thereof, that Affiant is, or ever has been, a citizen, alien citizen or  
12 resident of any territory, possession, instrumentality or enclave, under the sovereignty or  
13 exclusive jurisdiction of the United States, as defined in the Constitution for the united  
14 States of America in Art. I, Sec. 8 Cl. 17 and Art. IV, Sec. 3, Cl. 2. Affiant has no record  
15 or evidence that Affiant does not cancel any presumption that Affiant ever voluntarily  
16 elected to be treated as such a citizen or resident.

17 I am NOT an enemy of the United States or any corporation created under the laws of the  
18 United States or any state of the Union States, the District of Columbia, or any territory,  
19 commonwealth or possession of the United States or a foreign state or country, public or  
20 private.

21 My name is a Possession of Affiant and is not given to any other, however, the Christian  
22 Appellation that Affiant answers to is; Richard-Enrique: of the Ulloa Family, with  
23 location of domicile where the Living Man stands, who may be NOTICED at RR1 peek  
24 farms, c/o 22 Ridge Mountain Road, non-domestic, non-commercial, Without the U.S.,  
25 Stone Ridge, New York republic [12484], and is particularly unique to this Affiant,  
26 although not affiliated with the "Corporate Body Politic" near the same location and is  
27 determined as complete, necessary and sufficient identification evidencing Affiant's  
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1 neutral standing (15 USC 1681(h)).

2 This Affidavit was NOT written for the purpose of debating the constitutionality or  
3 legality of the Communications Act of 1934, but rather to establish facts exposing the  
4 United States Government's lack of jurisdiction in this matter. Affiant is NOT a pirate,  
5 affiliated with or an enemy of any public or private corporation, domestic or foreign, but  
6 is a neutral body. Any past or future reference to Affiant as such by any agency and its  
7 officer(s) will be considered "defamation of character" and will be litigated as such in  
8 the foreign jurisdiction where offenders, oppressors, and all Libellees will have no  
9 immunity, "Within the Admiralty". 28 USC 1333 or 1337, Bills of Lading Act, The  
10 Public Vessel Act, Foreign Sovereign Immunity Act, False Claims Act; see 31 U.S.C.  
11 §3729(a)(7) and Federal Tort Claims Act. Any of the facts or Laws presented herein are  
12 NOT contrary to the Communications Act of 1934, or Court decisions applicable to  
13 Affiant. All facts contained herein are based upon ruling case law and un-overruled  
14 decisions of the Supreme Court of the united States. None of these facts have been found  
15 to be "frivolous" by any court, when argued in their exact and proper context. These are  
16 technical facts that, under Commercial Law must be rebutted with "case law" or  
17 acquiesced to.

18 Any statements or claims in this Affidavit must be properly rebutted by facts of law, or  
19 overriding Article III Supreme Court rulings, and shall not prejudice the lawful validity  
20 of other claims not properly rebutted or invalidated by facts of law. Therefore, an  
21 Affidavit of Truth, under Commercial Law, can only be satisfied: (i) through a rebuttal  
22 Affidavit of Truth, point for point, (ii) by payment, (iii) by agreement, (iv) by resolution  
23 by a jury under the rules of Common Law.

24 For reasons explicitly defined within this Point, Affiant denies having, or ever having  
25 had, a "birthday"; but rather, Affiant DID have a "Nativity" upon the Soil and celebrates  
26 his day of Nativity as such.

27 I make it perfectly clear that Affiant is an Adverse Party denying under oath the  
28

1 allegation that Affiant is incorporated; as per: *"The failure of an adverse party to deny*  
 2 *under oath the allegation that he is incorporated with the necessity of proof of the fact [it*  
 3 *becomes part of the official record]."* Galleria Bank v. Southwest Properties, 498

4 Southwest 2<sup>nd</sup>

5 USE, MISUSE, AND ABUSE OF WORDS TO CHANGE THE MEANING.

6 Webster's 1828 Dictionary says this under "BIRTH": BIRTH, n. berth.

7 "Birth", "berth" and "born" all come from the same root of "to bear". When you look up  
 8 "berth" you find out that every definition has to do with ships. So our "berth-day" is the  
 9 day we were given a place within the maritime/admiralty jurisdiction of the State.

10 *Webster's New World Dictionary of the English Language - Third College Edition*,  
 11 copyright 1988, page 132, berth n. ...4 a position, place, office, job, etc.

12 We perceive that this "berth" is the "office of person" aboard the SHIP OF STATE

13 A Living Soul has a date of Nativity; a Corporation Sole has a date of Birth/Berth.

14 There are only two birthday parties in the Scripture. In both cases a man lost his head. At  
 15 Pharaoh's birthday party in Genesis the baker was hung and at Herod's birthday party in  
 16 the Gospels John the Baptist was beheaded. So how did a "Christian" culture end up  
 17 celebrating "Berth"-days as we do? Somebody had a plan, and that plan involved  
 18 embedding a number (the number of the beast) into our consciousness at a very early age.

19 A possible third "birthday" was mentioned in the Holy Writ; note that the 666 talents of  
 20 gold mentioned below did NOT include all that was brought by merchant means.

21 1 Kings 10:14 and 2 Chronicles 9:13, *"Now the weight of gold that came to Solomon in*  
 22 *one year was six hundred threescore and six talents of gold;"*

23 Therefore, I inform the nice policeman, the bureaucrat, the "de facto" court system, and  
 24 all other parties that may inquire, "I have no birthday," even backing that with, "No man  
 25 can be compelled to incriminate himself."

26  
 27 ADDITIONAL INFORMATION TO CLARIFY MEANING OF "U.S. CITIZEN"



1 The term "Citizen of the United States", as found in the Qualifications Clauses, is  
2 properly constructed to mean a Citizen of ONE OF the States which are united by and  
3 under the U.S. Constitution. This construction -- ONE OF -- is reiterated in the following  
4 passage from Words and Phrases, to wit:

5 "Citizens of a state, within the removal act [18 Stat. 473, March 3, 1875] means citizens  
6 of one of the United States, and the suits contemplated are suits between citizens of one  
7 of the states of the Union on one side, and foreign states, or citizens or subjects on the  
8 other." citing Roberts v. Pacific & A. Ry. & Navigation Co., 121 F. 785, 789, 58 C.C.A.  
9 61. (9th Cir. 1903)"]

10  
11 I am not an expert in the law however I do know right from wrong. If there is any  
12 human being damaged by any statements herein, if he will inform me by facts I will  
13 sincerely make every effort to amend my ways. I hereby and herein reserve the right to  
14 amend and make amendment to this document as necessary in order that the truth may be  
15 ascertained and proceedings justly determined. If the parties given notice by means of  
16 this document have information that would controvert and overcome this Affidavit,  
17 please advise me IN WRITTEN AFFIDAVIT FORM within thirty (30) days from receipt  
18 hereof providing me with your counteraffidavit, proving with particularly by stating all  
19 requisite actual evidentiary fact and all requisite actual law, and not merely the ultimate  
20 facts or conclusions of law, that this Affidavit Statement is substantially and materially  
21 false sufficiently to change materially my status and factual declarations. Your silence  
22 stands as consent to, and tacit approval of, the factual declarations herein being  
23 established as fact as a matter of law. May the will of our Heavenly Father Yahvah,  
24 through the power and authority of the blood of His Son Yahshua be done on Earth as it  
25 is in Heaven.

26  
27 I pray to our Heavenly Father and not this court that justice be done.  
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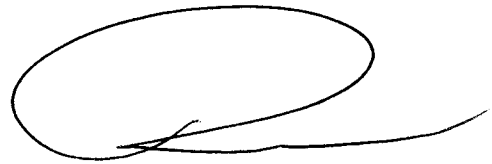


1  
2 **Reserving ALL Natural God-Given Unalienable Birthrights,**  
3 **Waiving None, Ever,**  
4

5 **28 USC §1746**

6 I declare under penalty of perjury under the laws of the United States of  
7 America that the foregoing is true and correct. 28 USC §1746

8 Signed on this the seventeenth day of the eight month in the year of our Lord  
9 and Savior two thousand ten.

10  
11  
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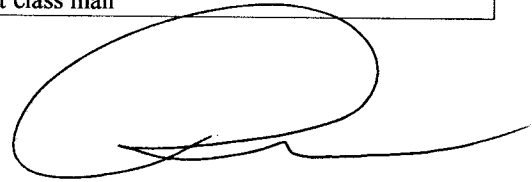
13 Richard-Enrique; Ulloa  
14 Sui Juris,unrepresented

15 Date: August 17, 2010  
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**Proof and Evidence of Service**

I, Richard-Enrique; Ulloa: *declare that I served by filing one copy of the "AFFIDAVIT OF TRUTH DECLARING NON-CORPORATE STATUS" by "hand-delivered by private carrier-service on "USDC of Northern NY" sent by post-office-first class-mail AND OR CERTIFIED MAIL to the following:*

THOMAS A. CAPEZZA	USDC OF NORTHERN NY
Assistant U.S. Attorney Bar #503159	COURT CLERK
445 Broadway, Room 509	445 Broadway, Room 509
ALBANY, NEW YORK 12207	ALBANY, NEW YORK 12207
First class mail	First class mail



Richard-Enrique; Ulloa  
Sui Juris, unrepresented  
August 17, 2010

**NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL NOTICE TO**  
**THE PRINCIPAL IS NOTICE TO THE AGENT**